

## Fill in this information to identify the case:

Debtor 1 Luis F. Tellez-Giron; aka Luis Fernando Tellez-Giron Delgado; aka Luis Fernando Tellez Giron; fdba Tellez-Giron & Associates

Debtor 2 \_\_\_\_\_  
(Spouse, if filing)

United States Bankruptcy Court for the: Western District of Texas

Case number 18-30051-hcm

## Official Form 410S1

**Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: Home Point Financial CorporationCourt claim no. (if known): 6-1

Last 4 digits of any number you use to  
identify the debtor's account:

7 3 0 3**Date of payment change:**

Must be at least 21 days after date  
of this notice

02/01/2020**New total payment:**\$ 1,187.77

Principal, interest, and escrow, if any

**Part 1: Escrow Account Payment Adjustment****1. Will there be a change in the debtor's escrow account payment?**☐ No

☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ 404.88New escrow payment: \$ 413.56\***Part 2: Mortgage Payment Adjustment****2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**☒ No

☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: \_\_\_\_\_%

New interest rate: \_\_\_\_\_%

Current principal and interest payment: \$ \_\_\_\_\_

New principal and interest payment: \$ \_\_\_\_\_

**Part 3: Other Payment Change****3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**☒ No

☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement.  
(Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_

New mortgage payment: \$ \_\_\_\_\_

Debtor 1 Luis F. Tellez-Giron  
First Name Middle Name Last NameCase number (if known) 18-30051-hcm**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

☐ I am the creditor.

☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

**X/s/ D. Anthony Sottile**  
Signature

Date 01/02/2020

Print: D. Anthony Sottile  
First Name Middle Name Last Name

Title Authorized Agent for Creditor

Company Sottile & Barile, LLC

Address 394 Wards Corner Road, Suite 180  
Number Street  
Loveland OH 45140  
City State ZIP Code

Contact phone 513-444-4100

Email bankruptcy@sottileandbarile.com

\* Remediation has been completed and all credits/adjustments have been applied to account. To the extent any prior interest rate adjustments under the terms of the loan documents or prior escrow adjustments were not noticed in this Court pursuant to Bankruptcy Rule 3002.1, after December 1, 2011 or Petition Date (whichever is later), HomePoint Financial Corporation has refunded or credited the Debtor, as appropriate, to give the debtor the benefit of any lower payment amount as provided under the loan documents, escrow analysis, or a notice previously filed with this Court pursuant to Bankruptcy Rule 3002.1.

This does not constitute a modification of the payment obligations under the terms of the promissory note, mortgage, or other loan documents.



PLEASE DO NOT SEND PAYMENTS TO THIS ADDRESS  
P.O. Box 619063  
Dallas, TX 75261-9063

## ESCROW STATEMENT

Analysis Date: December 16, 2019  
Loan Number: [REDACTED]  
New Payment Effective Date: 02/01/20  
For Inquiries: 800.686.2404  
Property Address: 5812 DURRILL ST  
SUNLAND PARK NM 88008

LUIS F TELLEZ -  
DANIELA A AGUILERA LEGARRETA  
5812 DURILL ST  
SUNLAND PARK NM 88008-9560

## Annual Escrow Account Disclosure Statement - Projections for Coming Year

The following is an overview of your escrow account with Home Point Financial Corporation. It contains a snapshot of the anticipated disbursements for the coming year and the history of escrow payments made on your behalf in the prior year. Any potential adjustments due to increases or decreases with your escrowed items may affect your monthly escrow payment. If your escrow payment increases, your monthly mortgage payment will also increase. If the escrow payment decreases, your mortgage payment will decrease.

Payment Information	Current	Effective 02/01/20
Principal & Interest Pmt	\$774.21	\$774.21
Total Monthly Escrow Payment	\$404.88	\$413.56
Reserve Acct Pymt	\$0.00	\$0.00
HUD 235/265 Pymt (-)	\$0.00	\$0.00
Misc Acct Payment	\$0.00	\$0.00
<b>Total Payment</b>	<b>\$1,179.09</b>	<b>\$1,187.77</b>

Shortage/Surplus Information	Effective 02/01/20
Upcoming Total Annual Bills	\$4,962.72
Required Cushion	\$489.82
Required Starting Balance	\$869.05
Over/Short Spread	\$0.00

**Cushion Calculation:** Because Home Point Financial does not set your tax amounts or insurance premiums, your escrow balance contains a cushion of \$489.82. A cushion is an additional amount of funds held in your escrow in order to prevent the balance from becoming overdrawn when an increase in the disbursement amount occurs. Based upon federal or state regulations, if your escrow account is required to maintain a cushion, the minimum balance should not be below 1/6th or 1/12th of the anticipated payments from the account. If your escrow account is not required to maintain a cushion, a minimum balance is not required.

These are the escrow items we anticipate we will collect for or pay on your behalf in the upcoming 12 month period. The dollar amount shown may be the last amount actually paid for that item, or may project the next amount due.

Date	Anticipated Payments		Description	Escrow Balance	
	To Escrow	From Escrow		Anticipated	Required
			Starting Balance	\$183.13	\$869.05
FEB 2020	\$413.56	\$168.65	FHA INSURANC	\$428.04	\$1,113.96
MAR 2020	\$413.56	\$168.65	FHA INSURANC	\$672.95	\$1,358.87
APR 2020	\$413.56	\$168.65	FHA INSURANC	\$917.86	\$1,603.78
APR 2020		\$1,113.96	COUNTY TAX	(\$196.10)	\$489.82
MAY 2020	\$413.56	\$168.65	FHA INSURANC	\$48.81	\$734.73
JUN 2020	\$413.56	\$168.65	FHA INSURANC	\$293.72	\$979.64
JUL 2020	\$413.56	\$168.65	FHA INSURANC	\$538.63	\$1,224.55
AUG 2020	\$413.56	\$168.65	FHA INSURANC	\$783.54	\$1,469.46
SEP 2020	\$413.56	\$168.65	FHA INSURANC	\$1,028.45	\$1,714.37
OCT 2020	\$413.56	\$168.65	FHA INSURANC	\$1,273.36	\$1,959.28
NOV 2020	\$413.56	\$168.65	FHA INSURANC	\$1,518.27	\$2,204.19
NOV 2020		\$1,113.96	COUNTY TAX	\$404.31	\$1,090.23
DEC 2020	\$413.56	\$168.65	FHA INSURANC	\$649.22	\$1,335.14
DEC 2020		\$711.00	PROPERTY INS	(\$61.78)	\$624.14



11511 Luna Road, Suite 200  
Farmers Branch, TX 75234  
(800) 686-2404

HOME POINT FINANCIAL CORPORATION  
P. O. BOX 790309  
ST LOUIS, MO 63179-0309

LUIS F TELLEZ -  
DANIELA A AGUILERA LEGARRETA  
5812 DURILL ST  
SUNLAND PARK NM 88008-9560

Property Address:  
5812 DURILL ST  
SUNLAND PARK NM 88008

Analysis Date: December 16, 2019

Loan Number: [REDACTED]

Date	Anticipated Payments		Description	Escrow Balance	
	To Escrow	From Escrow		Anticipated	Required
JAN 2021	\$413.56	\$168.65	FHA INSURANC	\$183.13	\$869.05
	\$4,962.72	\$4,962.72			

### Annual Escrow Account Disclosure Statement Account History

The following statement of activity in your escrow account from January 2020 through January 2020 displays actual activity as it occurred in your escrow account during that period. If you received Account Projections with a prior analysis, they are included again here for comparison.

Date	Payments to Escrow		Payments From Escrow		Description	Escrow Balance	
	Anticipated	Actual	Anticipated	Actual		Required	Actual
					Starting Balance	\$624.14	(\$63.62)
JAN	\$413.56	\$415.40 *	(\$168.65)	\$168.65	FHA INSURANC	\$869.05	\$183.13
FEB	\$413.56		(\$168.65)		FHA INSURANC	\$1,113.96	\$183.13
MAR	\$413.56		(\$168.65)		FHA INSURANC	\$1,358.87	\$183.13
APR	\$413.56		(\$168.65)		FHA INSURANC	\$1,603.78	\$183.13
APR			(\$1,113.96)		COUNTY TAX	\$489.82	\$183.13
MAY	\$413.56		(\$168.65)		FHA INSURANC	\$734.73	\$183.13
JUN	\$413.56		(\$168.65)		FHA INSURANC	\$979.64	\$183.13
JUL	\$413.56		(\$168.65)		FHA INSURANC	\$1,224.55	\$183.13
AUG	\$413.56		(\$168.65)		FHA INSURANC	\$1,469.46	\$183.13
SEP	\$413.56		(\$168.65)		FHA INSURANC	\$1,714.37	\$183.13
OCT	\$413.56		(\$168.65)		FHA INSURANC	\$1,959.28	\$183.13
NOV	\$413.56		(\$168.65)		FHA INSURANC	\$2,204.19	\$183.13
NOV			(\$1,113.96)		COUNTY TAX	\$1,090.23	\$183.13
DEC	\$413.56		(\$168.65)		FHA INSURANC	\$1,335.14	\$183.13
DEC			(\$711.00)		PROPERTY INS	\$624.14	\$183.13
	\$4,962.72	\$415.40	-\$4,962.72	\$168.65			

An asterisk (\*) indicates a difference from a previous estimate either in the date or the amount. If you want a further explanation, please call our toll-free number.

(Please keep this statement for comparison with the actual activity in your account at the end of the escrow accounting computation year.)

We anticipate the total of your coming year bills to be \$4,962.72. We divide that amount by the number of payments expected during the coming year to obtain your escrow payment.

New Escrow Payment Calculation	
Unadjusted Escrow Payment:	\$413.56
Over/Short Spread:	\$0.00
Escrow Payment:	\$413.56



If you are a New York resident or your property is in the state of New York, and you desire to file a complaint about Home Point Financial, you may file with the New York State Department of Financial Services and may obtain further information from the New York State Department of Financial Services by calling the Department's Consumer Assistance Unit at 1-800-342-3736 or by visiting the Department's website at [www.dfs.ny.gov](http://www.dfs.ny.gov).

Home Point Financial Corporation is a debt collector. Home Point Financial Corporation is attempting to collect a debt and any information obtained will be used for that purpose. However, if you are in bankruptcy or received a bankruptcy discharge of the debt, this communication is not an attempt to collect the debt against you personally, but is notice of a possible enforcement of the lien against the collateral property.


Home Point Financial Corporation  
18-30051-hcm  
Farmers Branch, TX 75234  
800.686.2404



Property Address:  
5812 DURRILL ST  
SUNLAND PARK NM 88008

LUIS F TELLEZ -  
DANIELA A AGUILERA LEGARRETA  
5812 DURILL ST  
SUNLAND PARK NM 88008-9560

Analysis Date: December 16, 2019

Loan Number: 

TO THE EXTENT YOUR OBLIGATION HAS BEEN DISCHARGED, DISMISSED OR IS SUBJECT TO AN AUTOMATIC STAY OF BANKRUPTCY ORDER UNDER TITLE 11 OF THE UNITED STATES CODE, THIS NOTICE IS FOR COMPLIANCE AND INFORMATION PURPOSES ONLY AND DOES NOT CONSTITUTE A DEMAND FOR PAYMENT OR ANY ATTEMPT TO COLLECT ANY SUCH OBLIGATION.

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**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

In Re:

Case No. 18-30051-hcm

Luis F. Tellez-Giron

*aka* Luis Fernando Tellez-Giron Delgado

*aka* Luis Fernando Tellez Giron

*fdba* Tellez-Giron & Associates

Chapter 13

Debtor.

Judge H. Christopher Mott

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**CERTIFICATE OF SERVICE**

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I certify that on January 2, 2020, a copy of the foregoing Notice of Mortgage Payment Change was filed electronically. Notice of this filing will be sent to the following party/parties through the Court's ECF System. Party/Parties may access this filing through the Court's system:

Marissa Amanda Hackert, Debtor's Counsel  
tanzy.borrego@gmail.com

Jessica Medina, Debtor's Counsel  
tanzy.borrego@gmail.com

Stuart C. Cox, Chapter 13 Trustee  
mchavez@ch13elpaso.com

Office of the United States Trustee  
ustpreion07.sn.ecf@usdoj.gov

I further certify that on January 2, 2020, a copy of the foregoing Notice of Mortgage Payment Change was mailed by first-class U.S. Mail, postage prepaid and properly addressed to the following:

Luis F. Tellez-Giron, Debtor  
5812 Durill St.  
Santa Teresa, NM 88008

Dated: January 2, 2020

/s/ D. Anthony Sottile

D. Anthony Sottile  
Authorized Agent for Creditor  
Sottile & Barile, LLC  
394 Wards Corner Road, Suite 180  
Loveland, OH 45140  
Phone: 513.444.4100  
Email: bankruptcy@sottileandbarile.com